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Hartford Life and Accident Insurance Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JULIE JACOBY,

Plaintiff,

-against-

HARTFORD LIFE AND ACCIDENT INSURANCE
COMPANY,

Defendant.

No.: 07 Civ. 4627 (LAK) (RLE)

NOTICE OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

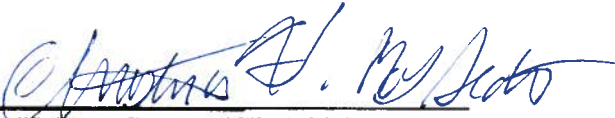
PLEASE TAKE NOTICE, that upon the Declaration of Jeffrey C. Small, dated March 11, 2008, Defendant's Rule 56.1 Statement of Undisputed Material Facts in Support of its Motion For Summary Judgment, and the accompanying memorandum of law, Defendant Hartford Life and Accident Insurance Company ("Hartford"), by counsel, will make a motion before the Hon. L. Kaplan, U.S.D.J., in Courtroom 12D, United States Courthouse, 500 Pearl Street, New York, New York 10007, pursuant to Rule 56 of the Federal Rules of Civil Procedure and the Local Rules of this Court, hereby moving for summary judgment on the grounds that the undisputed administrative record in this case demonstrates that the decision of Hartford to deny Plaintiff's claim for long term disability benefits under a benefit plan governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001, *et seq.*, was reasonable and

supported by substantial evidence. Plaintiff Julie Jacoby has failed to satisfy her burden of proving that she was totally disabled from performing any occupation, as she was required to do by the terms of the benefit plan at issue, or that Hartford's decision to deny her claim for continuing long term disability benefits was arbitrary or capricious. The grounds for this motion are more fully set forth in the accompanying memorandum and exhibits.

WHEREFORE, Hartford Life and Accident Insurance Company hereby requests that its motion be granted, that summary judgment be entered in its favor, and that it be awarded its costs and expenses incurred herein.

Dated: New York, New York
March 11, 2008

TROUTMAN SANDERS LLP

By: 
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Attorneys for Defendant
Hartford Life and Accident Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that I am attorney for Defendant and that on March 11, 2008, I electronically filed a copy of the foregoing with the Clerk of the Court and served a copy of the same by first class mail to the following:

TO:
Scott M. Riemer
60 East 42nd Street
Suite 2430
New York, NY 10165

Dated: New York, New York
March 11, 2008

A handwritten signature in blue ink, appearing to read "Christina H. Bost Seaton", is written over a horizontal line.

Christina H. Bost Seaton (CB-7667)
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